[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

## II.—PRIVILEGE MOTIONS.

### (1) RESTRICTIONS ON VISITORS TO THE LEGISLATORS' HOSTEL IN THE GOVERNMENT ESTATE.

10-30 a.m. MR. SPEAKER :—" Two hon. Members Mr. K. P. Gopalan and Mr. P. Rangaswami Reddiar have given notices of two motions which they call privilege motions. I will first take the motion of Mr. P. Rangaswami Reddiar. The motion reads as follows :—

> **' I complain of a breach of privilege having been committed by the Government by issuing general orders preventing representatives of associations from entering into Government Estate and making representation to the Assembly through me on the New Elementary Education Scheme on 14th July 1953 and the matter may be referred to the Committee of Privileges.**

May I know what Mr. Rangaswami Reddiar wants to say on this matter."

* SRI P. RANGASWAMI REDDIAR :—" Mr. Speaker, Sir, ever since the introduction of the modified scheme of elementary education, there is widespread agitation in this State, rightly or wrongly, protesting against the Government policy."

MR. SPEAKER :—" Let not the hon. Member go into the merits of the education policy of the Government. I want to know how this can be taken as a privilege motion."

* SRI P. RANGASWAMI REDDIAR :—" Yes, Sir, this is a privilege motion. We are residing in the two hostels within the compound of the Government Estate and representatives of several associations want to enter into the Government Estate, meet the hon. Members including myself and present petitions through the hon. Members of the House. On 14th July 1953 particularly, all people trying to enter into the Government Estate were prevented by the police, thereby preventing them from making any representation to the hon. Members of this House. After all we are the representatives of the people."

MR. SPEAKER :—" I take the representatives of associations as strangers and they are non-Members. The contention of the hon. Member is that strangers also have some privileges. Will he please explain how the privileges of hon. Members is affected ? "

SRI P. RANGASWAMI REDDIAR :—" It is not a question of privilege on the part of strangers. It is a question of privilege on the part of Members of this House."

MR. SPEAKER :—" It becomes a privilege motion if hon. Members are prevented or molested. There is no such thing for strangers. The Speaker has power to allow or not to allow all these visitors."

18th July 1953]

SRI P. RANGASWAMI REDDIAR :—" As Members of this House we are entitled to receive representations from the people and a number of Members are staying in the two hostels within the compound of the Government Estate."

MR. SPEAKER :—" Strangers being prevented from entering the compound does not come under privileges of the hon. Members. Will you please explain whether such a case has been considered as a privilege motion in any Parliament."

SRI P. RANGASWAMI REDDIAR :—" The point is, it is one thing to enter into the Assembly or near the Assembly and it is totally a different thing to enter the Government Estate and approach the Members."

MR. SPEAKER :—" The privilege is only for the Members and not for strangers."

SRI P. RANGASWAMI REDDIAR :—" The privilege of the Members is to receive representations from the public."

MR. SPEAKER :—" That is not privilege. The privilege does not go so far. If the hon. Member is prevented or molested, it comes under privilege. The contention of the hon. Member is that some representatives of certain associations were prevented from entering the Government Estate. That does not come under the privileges of Members."

SRI P. RANGASWAMI REDDIAR :—" We are entitled to receive deputations from outsiders. Sir, after all we are representatives of the people and we are here to receive representations from the people. It is a right and privilege on the part of hon. Members and if that right is denied by preventing the people from making representations, I complain, Sir, that there is breach of privilege."

MR. SPEAKER :—" Will you kindly point out whether it is considered as a breach of privilege in any Parliament in the world?"

SRI P. RANGASWAMI REDDIAR :—" Perhaps you want a precedent whether such a thing has happened in any part of the world."

MR. SPEAKER :—" In any part of the world or in any world. (Laughter.) We believe in seven worlds. Give me any reference to any books."

SRI P. RANGASWAMI REDDIAR :—" So, you want me to show whether a similar situation has arisen anywhere. I do not know any place where both the Assembly and the hostels are in the same compound. Unfortunately here both the Assembly and the hostels are in the Government Estate and people are prevented

[Sri P. Rangaswami Reddiar] [18th July 1953

from approaching the Members and making representations. Sir, there are two points. After all Hon. Ministers are responsible to the legislators and we, the legislators, are not in the strict sense responsible to the electorate the moment elections are over, because there is no right on the part of the electorate to recall us or question us once we are elected. That should not be the spirit. We should have the right to receive representations and the people should have the right to make representations and this right has been effectively prevented by issuing instructions to the police. On 14th July 1953 at about 10 a.m. some people wanted to meet me to make representations regarding the modified elementary education and they were not allowed to do so. I feel therefore the privileges of Members are thereby violated by the Government and it is a clear case for taking it up as a breach of privilege of Members. So far as the precedent is concerned, I do not think similar situations would have arisen elsewhere so far except in our unfortunate State. I do not think this kind of introduction of modified scheme of elementary education without consultation of the representatives of the people by one order on one fine morning would have taken place elsewhere. No such agitation also would have taken place. Therefore I submit that this matter should be referred to the Committee of Privileges to go into the question of the orders issued by the Government preventing people from entering the Government Estate and making representations to the Members."

Sri V. R. Nagarajan :—" On a point of information, Sir. I want to know whether we are discussing the right of the public to enter the Government Estate or the right to enter this House to make representation to hon. Members."

Mr. Speaker :—" I have read the motion."

Sri V. R. Nagarajan :—" If public were prevented from contacting the Members in the Government Estate and making representations to them, then I think a very valuable right is being denied to the Members by the police barring entry of the public even at the gates of the Government Estate."

10-4' a.m. Mr. Speaker :—" The public have no privilege like hon. Members of the House."

Sri S. Deivasigamany :—" Mr. Speaker, my submission is that the privilege motion given notice of by my friend Sri Raghava Reddiar . . ."

Mr. Speaker :—" It is not 'Raghava Reddiar' but 'Rangaswami Reddiar'."

Sri S. Deivasigamany :—" Thank you, Sir. The motion is in order. After all, Sir, we are here as representatives of the people. As their representatives we have got certain rights

18th July 1953] [Sri S. Deivasigamany]

and liabilities. To voice forth their grievances we have all come here to Madras. From different parts in the mufassal we come and meet here in Madras as Members of the Legislature. It is the people who have sent us here. When such is the case, is it any wonder if any association of the public were to come to us here in Government Estate and represent to us their grievances, so that we may bring it to the notice of the House? Inasmuch as they were prevented from doing so on 14th July 1953 by an order of the Government, I do submit that it amounts to depriving us of the right to hear our representatives. It amounts to an infringement of the privilege of us, hon. Members of this House. Therefore I submit that this privilege motion must be admitted and duly considered by the Committee of Privileges."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I beg of hon. Members to fight in a straightforward manner if they wish to be reasonable. There is no point gained in bamboozling one another. This situation was created on account of open appeals and threats and statements made which were intended to organize a demonstration in the Assembly premises. (Interruption). Let me finish. And if on that day any orders were promulgated or carried out into effect, they were intended to prevent such demonstrations, which hon. Members may well know and which is *not* now presented as the issue.. What is now sought to be presented is that some hon. Members who live within this Government Estate were prevented from getting legitimate information and representations from members with whom they are connected and that thereby an infringement of privileges has taken place. That is the technical way in which the issue is now put before the House. That is why I appeal, let us be straightforward with one another. I shall explain. Let me now take the proposed aspect of the matter to be considered, namely, that members living in the Legislators' Hostel were entitled to receive the people as they liked notwithstanding the promulgated orders. I submit, Sir, that hon. Members have no doubt a right to receive representations from the public. It is not called a privilege. It is a right. If the question is whether they have a right to do so, I say they have it in the fullest measure to contact their friends and take their representation. But if they are to do so *within* the Assembly precincts, when there is a prohibitory order, I submit, Sir, that they lose that particular right. They could have met their representatives elsewhere where the order was not in force. What was the situation here on the said day? Hon. Members may be well aware of the facts. There were open threats and appeals. A prohibitory order was enforced to ensure public safety. When an order has been issued, it has got to be enforced. If hon. Members who live here were to talk to their own constituents in the verandahs of the House, even then, Sir, I submit, they would be bound by the limitations placed on other grounds on the public situation. The law is intended to be carried out and orders are to be carried out in the sense and in a sincere sense

as we all know. Where there is a breach of a promulgated order, the law will certainly come to the rescue of the officers who enforce the law to prevent such a breach. The matter is very simple. It is not a privilege of the members of the House to live within the Assembly precincts and call a crowd in when there is a prohibitory order preventing such crowds."

MR. SPEAKER :—" Has the hon. Member Sri Deivasigamany anything to say? "

SRI S. DEIVASIGAMANY :—" I object to the word 'crowd' used by the Hon. Chief Minister. We were only saying that members of some public associations who came to see us were prevented from doing so, in view of the prohibitory order within the Assembly precincts."

THE HON. SRI C. RAJAGOPALACHARI :—" Has the hon. Member read the appeals in respect of which the people came? "

MR. SPEAKER :—" I will now read the motion given notice of by Sri Rangasami Reddiar again. It reads as follows :—

'I complain of a breach of privilege having been committed by the Government by issuing general orders preventing representatives of Associations from entering into Government Estate and making representation to Assembly through me on the New Elementary Education Scheme on 14th July 1953 and the matter may be referred to the Committee of Privileges.'

" The hon. Member has not made out a *prima facie* case. I rule that this is not a breach of privilege."

(2) ARREST AND DETENTION OF SRI N. K. PALANISWAMI, M.L.A.

MR. SPEAKER :—" I will now take up another privilege motion given notice of by the hon. Member Sri K. P. Gopalan which runs as follows :—

'I beg to enclose herewith a copy of the representation made by my colleague Sri N. K. Palaniswami, dated 22nd May 1953. The representation *inter alia* gives facts showing the insulting behaviour of the Police in the arrest and detention of an honourable colleague of mine Sri N. K. Palaniswami when he led a deputation to the Chief Minister on 17th May 1953. I consider the offensive behaviour of the police towards my colleague and his arrest, constitute a grave infringement of the privileges of a Member and therefore of the House of the State Legislature of which he is a part. I therefore give notice of moving the following motion of privilege :—

" Resolved that the offensive behaviour of the Police of Dharapuram and the arrest and detention of Sri N. K. Palaniswami be referred to the Committee of Privileges of the Assembly." '

" I wish to know from the hon. Member whether it was an 'arrest' or 'detention'."

SRI K. P. GOPALAN :—" Detention for five hours, Sir. This is a very important matter, Sir . . ."